

EDMUND G. BROWN JR.  
Attorney General of the State of California  
DANE R. GILLETTE  
Chief Assistant Attorney General  
GERALD A. ENGLER  
Senior Assistant Attorney General  
PEGGY S. RUFFRA  
Supervising Deputy Attorney General  
CATHERINE A. RIVLIN, State Bar No. 115210  
Supervising Deputy Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 703-5977  
Fax: (415) 703-1234  
Email: Catherine.Rivlin@doj.ca.gov  
Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

## RICKY RENEE SANDERS.

Petitioner,

## **JAMES E. TILTON, Warden,**

### Respondent.

C 08-2485 PJH (PR)

**APPLICATION FOR  
ENLARGEMENT OF TIME  
TO FILE ANSWER OR  
RESPONSIVE MOTION**

19 For the reasons stated in the accompanying declaration of counsel, respondent hereby  
20 requests a 30-day enlargement of time until September 15, 2008, within which to answer the petition  
21 for writ of habeas corpus in this case or file any other appropriate motion. As explained in the  
22 declaration, counsel for respondent has obtained the state court appellate record and has requested  
23 the remaining state court record for lodging, but has been burdened by earlier-assigned cases. A  
24 stipulation has not been sought because petitioner is an incarcerated state prisoner who is  
25 representing himself.

26 | //

27 | //

28 | //

WHEREFORE, respondent respectfully requests that this Court grant an extension of time to and including September 16, 2008, in which to file the answer.

Dated: August 7, 2008

Respectfully submitted,

EDMUND G. BROWN JR.  
Attorney General of the State of California

DANE R. GILLETTE  
Chief Assistant Attorney General

GERALD A. ENGLER  
Senior Assistant Attorney General

PEGGY S. RUFFRA  
Supervising Deputy Attorney General

/s/ Catherine A. Bixby

---

CATHERINE A. RIVLIN  
Supervising Deputy Attorney General  
Attorneys for Respondent

Sanders Appl for EOT.wpd  
SF2008200102

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: *Ricky Renee Sanders v. James E. Tilton, Warden* No.: **C 08-2485 PJH (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On August 8, 2008, I served the attached:

- 1. APPLICATION FOR ENLARGEMENT OF TIME TO FILE ANSWER OR RESPONSIVE MOTION;**
- 2. DECLARATION COUNSEL IN SUPPORT OF SUPPORT OF APPLICATION FOR ENLARGEMENT OF TIME; and 3. ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Ricky Renee Sanders  
SPN# V-26524  
Central Valley MCCF  
P.O. Box 458  
McFarland, CA 93250

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 8, 2008, at San Francisco, California.

---

J. Espinosa

Declarant

---

/s/ J. Espinosa

Signature

EDMUND G. BROWN JR.  
Attorney General of the State of California  
DANE R. GILLETTE  
Chief Assistant Attorney General  
GERALD A. ENGLER  
Senior Assistant Attorney General  
PEGGY S. RUFFRA  
Supervising Deputy Attorney General  
CATHERINE A. RIVLIN, State Bar No. 115210  
Supervising Deputy Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 703-5977  
Fax: (415) 703-1234  
Email: Catherine.Rivlin@doj.ca.gov  
Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

## RICKY RENEE SANDERS.

C 08-2485 PJH (PR)

Petitioner.

1

JAMES E. TILTON, Warden.

**DECLARATION OF COUNSEL IN  
SUPPORT OF APPLICATION FOR  
ENLARGEMENT OF TIME**

## Respondent.

I, Catherine A. Rivlin, declare under penalty of perjury as follows:

20 I am the California Supervising Deputy Attorney General assigned to handle the above-  
21 encaptioned case. I have obtained the appellate file and requested additional state records. I was  
22 the responsible deputy on the direct appeal, am also assigned the case of co-defendant Ceriaco  
23 Cabrellis, now pending as *Ceriaco Cabrellis v. M. C. Kramer, Warden*, in case number C 08-1785  
24 JSW, and thus have familiarity with the case, issues, and facts. However the press of earlier assigned  
25 cases has prevented my devoting substantial attention to this case to date. In the most recent 30  
26 days, I have been out of the office from July 4 through July 15, 2008, and filed respondent's (or  
27 appellee's) briefs in *People v. Parker*, A117498, and *Joseph v. Kane*, 07-15224. In addition to a full  
28 caseload, I manage a team of eleven attorneys and paralegals and critically review/edit every

1 pleading they draft. I have not attempted to contact petitioner, who is representing himself in this  
2 proceeding, because he is incarcerated in state prison and cannot be conveniently reached.

3 I declare under penalty of perjury of the laws of the State of California and the United  
4 States of America that the foregoing is true and correct. Executed at San Francisco, California on  
5 August 7, 2008.

6

7 Respectfully submitted,

8 EDMUND G. BROWN JR.  
Attorney General of the State of California

9 DANE R. GILLETTE  
Chief Assistant Attorney General

10 GERALD A. ENGLER  
Senior Assistant Attorney General

11 PEGGY S. RUFFRA  
Supervising Deputy Attorney General

12

13

14 /s/ Catherine A. Rivlin

15 

---

CATHERINE A. RIVLIN  
16 Supervising Deputy Attorney General  
Attorneys for Respondent

17

18

sandersfheatdec.wpd  
SF2008200102

19

20

21

22

23

24

25

26

27

28

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: *Ricky Renee Sanders v. James E. Tilton, Warden* No.: **C 08-2485 PJH (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On August 8, 2008, I served the attached:

- 1. APPLICATION FOR ENLARGEMENT OF TIME TO FILE ANSWER OR RESPONSIVE MOTION;**
- 2. DECLARATION COUNSEL IN SUPPORT OF SUPPORT OF APPLICATION FOR ENLARGEMENT OF TIME; and 3. ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Ricky Renee Sanders  
SPN# V-26524  
Central Valley MCCF  
P.O. Box 458  
McFarland, CA 93250

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 8, 2008, at San Francisco, California.

---

J. Espinosa

Declarant

---

/s/ J. Espinosa

Signature

1  
2  
3  
4  
5  
6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9

10 **RICKY RENEE SANDERS,**

11 Petitioner,

C 08-2485 PJH (PR)

**ORDER**

12 **v.**

13 **JAMES E. TILTON, Warden,**

14 Respondent.

15  
16 GOOD CAUSE APPEARING, it is hereby ordered that respondent may have until  
17 September 16, 2008, to file an answer to, or responsive motion regarding, the petition for writ of  
18 habeas corpus. Petitioner may file and serve a traverse, if any, within thirty (30) days of his receipt  
19 of the answer. He may file and serve an opposition or statement of non-opposition within thirty (30)  
20 days of his receipt of a motion to dismiss, if any.

21 **IT IS SO ORDERED.**

22  
23 DATED: \_\_\_\_\_

24 \_\_\_\_\_  
25 PHYLLIS J. HAMILTON  
26 United States District Judge  
27  
28

**DECLARATION OF SERVICE BY U.S. MAIL**Case Name: *Ricky Renee Sanders v. James E. Tilton, Warden* No.: **C 08-2485 PJH (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On August 8, 2008, I served the attached:

- 1. APPLICATION FOR ENLARGEMENT OF TIME TO FILE ANSWER OR RESPONSIVE MOTION;**
- 2. DECLARATION COUNSEL IN SUPPORT OF SUPPORT OF APPLICATION FOR ENLARGEMENT OF TIME; and 3. ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Ricky Renee Sanders  
SPN# V-26524  
Central Valley MCCF  
P.O. Box 458  
McFarland, CA 93250

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 8, 2008, at San Francisco, California.

---

J. Espinosa

Declarant

---

/s/ J. Espinosa

Signature